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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,997	08/26/2003	Kenneth Mori	0172097	6038

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EXAMINER

NGUYEN, HUNG THANH

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/649,997

Applicant(s)

MORI ET AL.

Examiner

HUNG T. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 23-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/19/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claim 1-22 drawn to Universal Serial Bus Hub and Method of Manufacturing Same, classified in class 361, subclass 752.
 - II. Claim 23-27 drawn to method of making universal serial bus hub, classified in class 29, subclass 267.

2. The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make other and materially different product especially the first universal serial bus port is accessible through the hole of the second universal serial bus hub when the second universal serial bus hub is stacked on top of the universal serial bus hub.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with Mr. Bryan Cave on 8/4/05 a provisional election was made with traverse to prosecute the invention of Group I, claim 1-22. Affirmation of this election must be made by applicant in replying to this Office action. Claim 23-27

withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (US 6050849) in view of Milan (US 6716047).

Regard claim 1, 11: Chang discloses in figure 1, a universal serial bus hub comprising: a housing comprising: a top portion (surface, consisting three openings 104, 1030, 1031); a bottom portion (opposite with a top portion) opposite the top portion (surface, consisting three openings 104, 1030, 1031); a first side (a planar consisting elements 105, 101) between the top portion and the bottom portion; and a second side (opposite with the first side) between the top portion (surface, consisting three openings 104, 1030, 1031) and the bottom portion (opposite with a top portion); a first universal serial bus port (6011) at the top portion (surface, consisting three openings 104, 1030, 1031); and a second universal serial bus port at the second side.

Change does not disclose a second universal serial bus port at the second side.

Milan discloses in figure 2-3, a second universal serial bus port at the second side.

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Change and Milan are analogous art because they are from the same field of endeavor to make USB hub.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make USB hub of Change at the side as taught by Milan.

Therefore, it would have been obvious to combine Chang with Milan for the benefit of having more USB

Regard claim 2: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 except, Change does not disclose a power port at the second side.

Milan discloses a power port at the second side.

Change and Milan are analogous art because they are from the same field of endeavor to make USB hub.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make power port of Change at the second side as taught by Milan.

Therefore, it would have been obvious to combine Chang with Milan for the benefit of supplying power.

Regard claim 3, 5: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 wherein the top portion comprises a first region (outer region of third opening, 104 in figure 1) and a second region (inner region of third opening 104, consisting of element 50 in figure 1); the first region (outer region of third opening, 104 in figure 1) is higher (outer region is shown higher than inner region, see figure 1) than the second region (inner region of third opening 104, consisting of

element 50); and the first universal serial bus port (6011) is at the first region (outer region of third opening, 104 in figure 1).

Regard claim 4: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 wherein a hole (third opening, 104) is located between the first side (explain in claim 1) and the second side (explain in claim 1) and extends (element 104 shown extend from top to bottom, see figure 1) from the top portion (explain in claim 1) to the bottom portion (explain in claim 1).

Regard claim 6,: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 except, Chang does not disclose the universal serial bus hub is stackable with a second universal serial bus hub; and the second universal serial bus hub is substantially similar to the universal serial bus.

Milan discloses disclose the universal serial bus hub is stackable with a second universal serial bus hub; and the second universal serial bus hub is substantially similar to the universal serial bus.

Chang and Milan are analogous art because they are from the same field of endeavor to make USB hubs.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make USB hubs of Chang as stackable as taught by Milan.

Therefore, it would have been obvious to combine Chang with Milan for the benefit of increase the number of ports.

Regard claim 7: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 except, Chang does not disclose the universal

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serial bus hub and the second universal serial bus hub are self-aligning when the universal serial bus hub is stacked with the second universal serial bus hub.

Milan discloses the universal serial bus hub and the second universal serial bus hub are self-aligning when the universal serial bus hub is stacked with the second universal serial bus hub.

Chang and Milan are analogous art because they are from the same field of endeavor to make USB hubs.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make USB hubs of Chang as self-aligning as taught by Milan.

Therefore, it would have been obvious to combine Chang with Milan for the benefit of keeping hubs in place.

Regard claim 8: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 wherein a hole (explain in claim 4) is located between the first side (explain in claim 1) and the second side (explain in claim 1) of the universal serial bus hub and extends (explain in claim 4) from the top portion (explain in claim 1) to the bottom portion (explain in claim 1) of the universal serial bus hub; the top portion (explain in claim 1) of the universal serial bus hub comprises a first region (explain in claim 3) and a second region (explain in claim 3); the first region (explain in claim 3) is higher (explain in claim 3) than the second region (explain in claim 3); the first universal serial bus port (explain in claim 1) of the universal serial bus hub (explain in claim 1) is at the first region (explain in claim 3) of the top portion (explain in claim 1) of the universal serial bus hub (explain in claim 1); the first region (explain in claim 3) of

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the universal serial bus hub extends (explain in claim 4) into the hole (explain in claim 4) in the second universal serial bus hub (explain in claim 6) when the second universal serial universal serial bus hub (explain in claim 6) is stacked on top of the of the universal serial bus hub (explain in claim 6).

Regard claim 9: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 wherein the first universal serial bus port of the universal serial bus hub is accessible when the second universal serial bus hub is stacked on top of the universal serial bus hub.

Chang does not disclose the first universal serial bus port of the universal serial bus hub is accessible when the second universal serial bus hub is stacked on top of the universal serial bus hub.

However, it is old and well known for one ordinary person skill in the art to access hubs for interconnection.

Regard claim 10: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 except, Chang does not disclose the universal serial bus hub of claim 1 further comprising: a status indicator at the first side.

However, it is old and well known for one ordinary skill in the art to make a status indicator to easily visualize the mode of the device.

Regard claim 12: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 except, Chang does not disclose at least a portion of the first side comprises a translucent material.

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However, it is old and well known for one ordinary skill in the art to device by translucent material just for the decoration.

Regard claim 13: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 except, Chang does not disclose the universal serial bus hub further comprising: a status indicator at the first side (explain in claim 10); and a power port at the second side (explain in claim 2), the status indicator is visible through the portion of the first side (explain in claim 10); and the status indicator indicates a status of at least one of the power port (explain in claim 2), the first universal serial bus port, and the second universal serial bus port.

However, it is old and very well known for one ordinary skill in the art to make indicators on the hubs to show what modes are in active.

Regard claim 14: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 1 except, Chang does not disclose at least a portion of the housing comprises a rubberized material.

However it is old and very well know for one ordinary skill in the art to make housing by rubberized material because it is cheap, good insulation.

Regard claim 15: Chang discloses the universal serial bus hub wherein a housing comprising: a top portion (surface, consisting three openings 104, 1030, 1031) having a first region (outer region of third opening, 104 in figure 1) located higher (outer region is shown higher than inner region, see figure 1) than a second region (inner region of third opening 104, consisting of element 50 in figure 1); a bottom portion (opposite with a top portion) opposite the top portion (surface, consisting three openings 104, 1030, 1031); a

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first side (a planar consisting elements 105, 101) between the top portion (surface, consisting three openings 104, 1030, 1031) and the bottom portion (opposite with a top portion); and a second side (opposite with the first side) between the top portion (surface, consisting three openings 104, 1030, 1031) and the bottom portion (opposite with a top portion)

Chang does not disclose a first downstream universal serial bus port located at the first region of the top portion; a second downstream universal serial bus port located at the second side; and an upstream universal serial bus port at the second side, wherein a hole (third opening, 104) is located between the first side (a planar consisting elements 105, 101) and the second side (opposite with the first side) and extends from the top portion (surface, consisting three openings 104, 1030, 1031) to the bottom portion (opposite with a top portion).

Milan discloses a first downstream universal serial bus port located at the first region of the top portion; a second downstream universal serial bus port located at the second side; and an upstream universal serial bus port at the second side, wherein a hole is located between the first side and the second side and extends from the top portion to the bottom portion.

Chang and Milan are analogous art because they are from the same field of endeavor to make USB hubs.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to make up/down stream port of Change on second side as taught by Milan.

Therefore, it would have been obvious to combine Chang and Milan for the benefit of connecting signal to devices.

Regard claim 16: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 15 except, Chang does not disclose the universal serial bus hub is stackable with a second universal serial bus hub; and the second universal serial bus hub is substantially similar to the universal serial bus hub.

Milan discloses disclose the universal serial bus hub is stackable with a second universal serial bus hub; and the second universal serial bus hub is substantially similar to the universal serial bus hub.

Chang and Milan are analogous art because they are from the same field of endeavor to make USB hubs.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make USB hubs of Chang as stackable as taught by Milan.

Therefore, it would have been obvious to combine Chang with Milan for the benefit of increase the number of ports.

Regard claim 17: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 15 except, Chang does not disclose the universal serial bus hub and the second universal serial bus hub are self-aligning when the universal serial bus hub is stacked with the second universal serial bus hub.

Milan discloses the universal serial bus hub and the second universal serial bus hub are self-aligning when the universal serial bus hub is stacked with the second universal serial bus hub.

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Chang and Milan are analogous art because they are from the same field of endeavor to make USB hubs.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to make USB hubs of Chang as self-aligning as taught by Milan.

Therefore, it would have been obvious to combine Chang with Milan for the benefit of keeping hubs in place.

Regard claim 18: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 15 wherein the first region (explain in claim 3) of the top portion (explain in claim 15) of the universal serial bus hub extends into the hole (explain in claim 4) of the second universal serial bus hub (explain in claim 6) when the second universal serial bus hub (explain in claim 6) is stacked (explain in claim 6) on top of the universal serial bus hub such that the first universal serial bus port is accessible (explain in claim 9) through the hole of the second universal serial bus hub when the second universal serial bus hub is stacked (explain in claim 6) on top of the universal serial bus hub.

Regard claim 19: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 15 further comprising: a power port at the second side (explain in claim 2); and a status indicator at the first side (explain in claim 10), wherein: the second side (explain in claim 1) is opposite (explain in claim 11) the first side (explain in claim 2).

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Regard claim 20: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 15 wherein: at least a portion of the first side comprises a translucent material (explain in claim 12)

Regard claim 21: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 15 wherein: the status indicator is visible through the translucent material (explain in claim 12); and the status indicator (explain in claim 12) indicates a status of at least one of the power port (claim 2), the first downstream universal serial bus port (explain in claim 15), the second downstream universal serial bus port (explain in claim 15), and the upstream universal bus port (explain in claim 15).

Regard claim 22: Chang discloses all the elements of the universal serial bus hub as described above with respect to claim 15 wherein: at least a portion of housing comprises a rubberized material (explain in claim 14).

Relevant Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Varga Donald (US D421962) teaches the USB hub, Tong Eric (US 6141221) teaches the universal bus docking station, Chung Ming Tsai (US 6085925) teaches the Housing for network products.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG T. NGUYEN whose telephone number is 571-272-5983. The examiner can normally be reached on 8:00AM - 5:30PM.

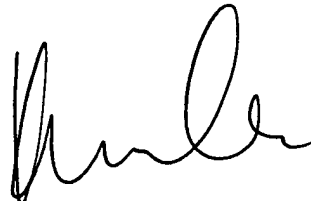
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KAMMIE CUNEO can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

HN

Hung Thanh Nguyen

September 19, 2005



KAMMIE
SEP 28/05